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Robert J. Davidson

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09/08/2005

HEWLETT-PACKARD COMPANY

Intellectual Property Administration

P.O. Box 272400

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EXAMINER

SHELEHEDA, JAMES R

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/760,242

Applicant(s)

DAVIDSON, ROBERT J.

Examiner

James Sheleheda

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantone (5,734,781) (of record) in view of Chung (6,628,963) (of record) and Beckett (Beckett, Jamie. "Making Room for Digital Data") (of record).

As to claim 1, Cantone discloses a method of portably handling a movie comprising:

storing a digitally formatted movie into a portable digital movie storage module (digital video cassette, 10; column 2, lines 55-60);

connecting the portable digital storage module to a movie playback device (VCR, Fig. 3; column 2, lines 60-62);

recalling selectively the digitally formatted movie from the portable storage module into the movie playback device (VCR; column 2, lines 60-62); and

displaying the movie (column 2, lines 62-65), he fails to specifically disclose a portable digitally formatted playback device, displaying the movie on the portable digitally formatted playback device and wherein said storage module includes an atomic resolution storage memory.

In an analogous art, Chung discloses a portable multimedia player (Figs. 1 and 2; column 1, lines 25-30 and column 2, lines 28-35) which is used to display digitally formatted video (MPEG video; column 2, line 66-column 3, line 20) received from a removable memory module (column 2, lines 56-62) for the typical benefit of providing multimedia functionality in a convenient portable device (column 1, lines 25-30 and column 3, lines 32-38).

Additionally, in an analogous art, Beckett discloses an information storage device consisting of an atomic resolution storage component (page 1, paragraphs 5-6), wherein said storage device is capable of storing digitized media (see DVD storage, page 1, paragraph 5), for the typical benefit of providing a compact and low-power method of storing massive amounts digitized media (page 1, paragraph 2).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone's system to include a portable digitally formatted playback device and displaying the movie on the portable digitally formatted playback device, as taught by Chung, for the typical benefit of providing a compact and low-power method of storing massive amounts digitized media.

Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone and Chung's system to include wherein said storage module includes an atomic resolution storage memory, as taught by Beckett, for the typical benefit of providing a compact and low-power method of storing massive digitized media in a digital entertainment system.

As to claim 4, Cantone, Chung and Beckett disclose repeating the storing step to capture additional digitally formatted movies into the memory component of the storage module (see Cantone, column 3, lines 56-59).

As to claim 5, Cantone, Chung and Beckett disclose wherein recalling selectively the digitally formatted movie further comprises the playback device including a personal movie player (portable multimedia player; see Chung at Figs. 1 and 2; column 1, lines 20-30).

As to claim 8, Cantone, Chung and Becket disclose performing storing the digitally formatted movie and recalling selectively the digitally formatted movie in a broadband frequency format (MPEG format; see Chung at column 2, line 35 - column 3, line 11).

3. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantone, Chung and Beckett as applied to claim 1 above, and further in view of Allen (5,909,638) (of record).

Considering claim 2, although Cantone, Chung and Beckett disclose a method of storing and recalling digitally formatted movies into and from the memory component of a portable movie storage module, they fail to specifically disclose transferring a copy of the movie from a purchase center into said memory component.

In an analogous art, Allen discloses a method of high-speed video distribution wherein a copy of a movie is transferred from a purchase center into a memory component (column 3, lines 32-48), for the typical benefit of providing a convenient means for a user to receive movies on demand (column 3, lines 32-48).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the combined methods of Cantone, Chung and Beckett to include transferring a copy of the movie from a purchase center into said memory component, as taught by Allen, for the typical benefit of providing a convenient means for a user to receive movies on demand.

As to claim 3, Cantone, Chung, Beckett and Allen disclose downloading the movie from a remotely located centralized movie database (see Allen at column 3, lines 38-40).

4. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantone, Chung and Beckett as applied to claim 1 above, and further in view of Yamagata et al. (Yamagata) (4,908,793) (of record).

As to claim 6, while Cantone, Chung and Beckett disclose a method of portably storing digitally formatted movies through the use of a storage module, however they fail to specifically disclose wherein the storage module has a communication interface and a power supply.

In an analogous art, Yamagata discloses a storage device (100) containing a communications interface (6) and being coupled to a power supply (power supply circuit 150 and battery 130), for the typical benefits of transferring data between an external unit and the device (column 2, lines 66-68) and for generating power to record and reproduce information (column 2, lines 39-40).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone, Chung and Beckett's system to include the storage module as having a communication interface and having a power supply, as taught by Yamagata, for the typical benefits of transferring data between an external unit and the memory device and for generating power to record and reproduce information in a memory storage device, respectively.

As to claim 7, Cantone, Chung, Beckett and Yamagata (as applied above) fail to specifically disclose wherein the memory component further comprises controller logic for operating the storage device and communicating between the memory component and the communications interface, as recited in the claim.

Yamagata further discloses wherein the memory component (100) further comprises controller logic (disk control circuit 9) for operating the storage device and communicating between the memory component and the communications interface (column 2, lines 64-65, column 3, lines 22-26, and column 4, lines 1-4), for the typical benefit of having the ability to control the read and write operations of the memory device (column 2, lines 64-65, and column 4, lines 1-4).

It would have been obvious to one of ordinary skill in the art at the time of invention to further modify Cantone, Chung, Beckett and Yamagata's system to further include wherein the memory component comprises controller logic for operating the storage device and communicating between the memory component and the communications interface, as further taught by Yamagata, for the typical benefit of having the ability to control the read and write operations of the memory device in a communications storage medium.

5. Claims 9, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantone in view of Chung, Beckett and Yamagata.

As to claim 9, while Cantone discloses a personal digital movie storage module comprising a digital storage device (column 2, lines 20-30) removably connected to a playback device (VCR, Fig. 3; column 2, lines 60-62) and capable of storing at least one digitally formatted movie (column 3, lines 56-58), he fails to specifically disclose a portable digital playback device capable of displaying a digitally formatted movie, wherein said storage module includes an atomic resolution storage memory and a communication interface for communicating to and from the memory components of the storage module and for providing the digitally formatted movie from the storage module to the portable digital playback device.

In an analogous art, Chung discloses a portable multimedia player (Figs. 1 and 2; column 1, lines 25-30 and column 2, lines 28-35) which is used to display digitally formatted video (MPEG video; column 2, line 66-column 3, line 20) received from a

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removable memory module (column 2, lines 56-62) for the typical benefit of providing multimedia functionality in a convenient portable device (column 1, lines 25-30 and column 3, lines 32-38).

Additionally, in an analogous art, Beckett discloses an information storage device consisting of an atomic resolution storage component (page 1, paragraphs 5-6), wherein said storage device is capable of storing digitized media (see DVD storage, page 1, paragraph 5), for the typical benefit of providing a compact and low-power method of storing massive amounts digitized media (page 1, paragraph 2).

Furthermore, in an analogous art, Yamagata discloses a storage device (100) containing a communications interface (6) and being coupled to a power supply (power supply circuit 150 and battery 130), for the typical benefit of transferring data between an external unit and the device (column 2, lines 66-68).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone's system to include wherein a portable digital playback device and displaying the movie on the portable digital playback device, as taught by Chung, for the typical benefit of providing a compact and low-power method of storing massive amounts digitized media.

Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone and Chung's system to include wherein said storage module includes an atomic resolution storage memory, as taught by Beckett, for the typical benefit of providing a compact and low-power method of storing massive digitized media in a digital entertainment system.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone, Chung and Beckett's system to include the storage module as having a communication interface and having a power supply, as taught by Yamagata, for the typical benefit of transferring data between an external unit and the memory device.

As to claim 10, Cantone, Chung, Beckett and Yamagata (as applied above) fail to specifically disclose wherein the memory component further comprises controller logic for operating the storage device and communicating between the memory component and the communications interface, as recited in the claim.

Yamagata further discloses wherein the memory component (100) further comprises controller logic (disk control circuit 9) for operating the storage device and communicating between the memory component and the communications interface (column 2, lines 64-65, column 3, lines 22-26, and column 4, lines 1-4), for the typical benefit of having the ability to control the read and write operations of the memory device (column 2, lines 64-65, and column 4, lines 1-4).

It would have been obvious to one of ordinary skill in the art at the time of invention to further modify Cantone, Chung, Beckett and Yamagata's system to further include wherein the memory component comprises controller logic for operating the storage device and communicating between the memory component and the communications interface, as further taught by Yamagata, for the typical benefit of

having the ability to control the read and write operations of the memory device in a communications storage medium.

As for claim 15, while Cantone, Chung, Beckett and Yamagata disclose a portable ultra-high capacity storage device and a communications interface, they fail (as applied above) to specifically disclose a housing enclosing said storage device and the communication interface

Yamagata further discloses said system further comprising a housing enclosing said storage device and the communication interface (column 4, lines 5-10). As is well known in the art, a housing provides protection for the internal electronics, in this case, the internal storage device and communication interface.

It would have been obvious to one of ordinary skill in the art at the time of invention to further modify Cantone, Chung, Beckett and Yamagata's system to include a housing enclosing said storage device and the communication interface, as further taught by Yamagata, for the purpose of protecting the internal storage device and interface in a digital storage device.

6. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantone, Chung, Beckett and Yamagata as applied to claim 9 above, and further in view of Gibson et al. (Gibson) (5,557,596) (of record).

As to claim 11, while Cantone, Chung, Beckett and Yamagata describe the use of an atomic resolution storage device, they fail to specifically disclose the atomic

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resolution storage device comprising: a micro-fabricated field emitter capable of generating an electron beam current, and a storage medium near the field emitter having a storage area in one of a plurality of states to represent data.

In an analogous art, Gibson discloses an atomic resolution storage device comprising a micro-fabricated field emitter capable of generating an electronic beam (column 2, line 65 - column 3, line 29), and a storage medium near the field emitter and having a storage area in one of a plurality of states to represent data stored in the storage area (column 3, lines 1-5), for the purpose of generating an ultra-high density device capable of reading and writing data on an atomic scale.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone, Chung, Beckett, and Yamagata's system to include the atomic resolution storage device comprising a micro-fabricated field emitter capable of generating an electron beam current, and a storage medium near the field emitter having a storage area in one of a plurality of states to represent data, as taught by Gibson, for the purpose of generating an ultra-high density device capable of reading and writing data on an atomic scale.

As to claim 12, Cantone, Chung, Beckett, Yamagata, and Gibson disclose an effect being generated when the electron beam current bombards the storage area, wherein the magnitude is dependent on the state of said storage, and wherein storage data is read by measuring the magnitude of the effect (see Gibson at column 5, line 64 - column 6, line 10).

As to claim 13, Cantone, Chung, Beckett, Yamagata, and Gibson disclose the atomic resolution storage module further comprising a plurality of storage areas on the storage medium, each storage area in one of a plurality of states to represent information stored in the storage area (see Gibson at column 5, line 64 – column 6, line 10), and a micro fabricated mover in the storage device for positioning various areas to be bombarded by the electron beam current (see Gibson at column 6, lines 2-10).

As to claim 14, Cantone, Chung, Beckett, Yamagata, and Gibson disclose the atomic resolution storage module further comprising a plurality of said field emitters (see Gibson at column 2, line 65 - column 3, line 5), with each emitter fabricated by semiconductor micro fabrication techniques capable of generating an electron beam current (see Gibson at column 3, lines 5-20), with each emitter space apart, and with each emitter being responsible for a number of storage areas such that said emitters can function in parallel to increase the data rate of the storage device (see Gibson at column 3, line 57 - column 4, line 20).

7. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantone, in view of Chung, Beckett, Yamagata and Allen.

As to claim 16, while Cantone discloses a portable digital movie storage system (column 2, lines 20-30) for storing at least one digitally formatted movie (column 2 lines 22-25) and a movie playback device removable connectable to the digital storage

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memory device (VCR, Fig. 3; column 2, lines 60-62), he fails to specifically disclose wherein

the playback device displays the digitally formatted movies,
the storage module includes an atomic resolution storage device,
a communication interface for communicating to and from said storage device
and for providing at least one digitally formatted movie from the storage module,
a system further permitting purchasable access to digitally formatted movies, a
centralized movie database for downloading to multiple points of purchase,
and a point-of-purchase center for selectively transferring a copy of a selected
movie to the movie storage module.

In an analogous art, Chung discloses a portable multimedia player (Figs. 1 and 2; column 1, lines 25-30 and column 2, lines 28-35) which is used to display digital video (MPEG video; column 2, line 66-column 3, line 20) received from a removable memory module (column 2, lines 56-62) for the typical benefit of providing multimedia functionality in a convenient portable device (column 1, lines 25-30 and column 3, lines 32-38).

Additionally, in an analogous art, Beckett discloses an information storage device consisting of an atomic resolution storage component (page 1, paragraphs 5-6), wherein said storage device is capable of storing digitized media (see DVD storage, page 1, paragraph 5), for the typical benefit of providing a compact and low-power method of storing massive amounts digitized media (page 1, paragraph 2).

Furthermore, in an analogous art, Yamagata discloses a storage device (100) containing a communications interface (6) and being coupled to a power supply (power supply circuit 150 and battery 130), for the typical benefit of transferring data between an external unit and the device (column 2, lines 66-68).

Also, in an analogous art, Allen discloses a system allowing purchasable access to electronically stored movies (column 3, lines 34-40), a centralized movie database for downloads to multiple points-of-purchase (column 3, lines 22-24), and a point-of-purchase center for selectable transferring a copy of the selected movie from said database to the movie storage module memory component (column 3, lines 44-48), for the typical benefit of allowing the convenient purchase of a large, centrally located selection of movies to a multitude of customers (column 3, lines 32-48).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone's system to include wherein a portable digital playback device and displaying the movie on the portable digital playback device, as taught by Chung, for the typical benefit of providing a compact and low-power method of storing massive amounts digitized media.

Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone and Chung's system to include wherein said storage module includes an atomic resolution storage memory, as taught by Beckett, for the typical benefit of providing a compact and low-power method of storing massive digitized media in a digital entertainment system.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone, Chung and Beckett's system to include the storage module as having a communication interface and having a power supply, as taught by Yamagata, for the typical benefit of transferring data between an external unit and the memory device.

Also, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Cantone, Chung, Beckett and Yamagata's system to include

- a system permitting purchasable access to electronically stored movies;
- a centralized movie database for download to multiple points-of-purchase; and
- a point-of-purchase center for selectable transferring a copy of the selected movie from said database to the movie storage module memory component, as taught by Allen, for the typical benefit of allowing the convenient purchase of a large, centrally located selection of movies to a multitude of customers.

As to claim 17, Cantone, Chung and Beckett, Yamagata and Allen disclose wherein recalling selectively the movie further comprises the playback device including a personal movie player (portable multimedia player; see Chung at Figs. 1 and 2; column 1, lines 20-30).

As to claim 18, Cantone, Chung, Beckett, Yamagata, and Allen disclose wherein the network and corresponding receiver of the centralized movie database and point-of-

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purchase-center comprise a satellite network and receiver (see Allen at column 5, lines 28-33).

8. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cantone, Chung and Beckett as applied to claim 1 above, and further in view of Russo (5,619,247) (of record).

As to claim 19, while Cantone, Chung and Beckett disclose storing a movie in the portable movie storage module, they fail to specifically disclose

storing instructions into the portable movie storage module to limit viewing the movie to a finite number of viewings; and

deleting the movie from the portable movie storage module once the movie has been viewed the finite number of viewings.

In an analogous art, Russo discloses a video system (Fig. 1; column 3, lines 40-64) wherein received programs are stored in a storage unit (14; column 4, lines 10-29) and wherein a viewed movie is deleted from storage (automatically erasing the movie after it has been viewed and enjoyed; column 11, lines 11-16) after the user has finished viewing the movie (column 11, lines 5-15) for the typical benefit of saving space on the storage medium (column 11, lines 14-16).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Cantone, Chung and Beckett's system to include storing instructions into the portable movie storage module to limit viewing the movie to a finite number of viewings; and deleting the movie from the portable movie storage

module once the movie has been viewed the finite number of viewings, as taught by Russo, for the typical benefit of saving space on the storage medium.

As to claim 20, while Cantone, Chung and Beckett disclose storing a movie in the portable movie storage module, they fail to specifically disclose

storing instructions into the portable movie storage module to limit viewing the movie to a finite period of time; and

deleting the movie from the portable movie storage module once the finite period of time has expired.

In an analogous art, Russo discloses a video system (Fig. 1; column 3, lines 40-64) wherein received programs are stored in a storage unit (14; column 4, lines 10-29) and wherein a viewed movie is deleted from storage (automatically erasing the movie after it has been viewed and enjoyed; column 11, lines 11-16) after a finite period of time for viewing the movie has expired (after a typical movie rental period; column 5, lines 34-42) for the typical benefit of saving space on the storage medium (column 11, lines 14-16).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Cantone, Chung and Beckett's system to include storing instructions into the portable movie storage module to limit viewing the movie to a finite period of time; and deleting the movie from the portable movie storage module once the finite period of time has expired, as taught by Russo, for the typical benefit of saving space on the storage medium.

Response to Arguments

9. Applicant's arguments filed 08/26/05, have been fully considered but they are not persuasive.

a. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

On page 7, in regards to applicant's arguments against Cantone, it is noted that Cantone specifically discloses digitally storing movies on a digital storage device (column 2, lines 55-60). Cantone will then selectively recall the digital movie from storage for playback (column 2, line 55-column 3, line 13). As admitted in the rejections above, Cantone does not disclose playing the digital movies back in digital form (movies are converted to analog for traditional playback).

It was the Chung reference which was relied upon to disclose a portable digital device which will retrieve digital movies from storage and display them on a digital media player (MPEG video; column 2, line 66-column 3, line 20).

b. Further, applicant attempts to argue that the combination of Chung with Cantone would be inoperable as Cantone relies on an analog playback device which is incompatible with Chung.

In response, applicant is directed to the rejections and (a) above, where it is clearly indicated that the *analog* playback of Cantone is being replaced by the *digital* playback of Chung. Any analog portions of Cantone would not render Chung inoperable as they are the specific portions Chung is being utilized to replace.

c. In regards to applicant's arguments on pages 9-10, see the rejections and (a)-(b) above.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sheleheda whose telephone number is (571) 272-7357. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James Sheleheda
Patent Examiner
Art Unit 2617

JS



VIVEK SRIVASTAVA
PRIMARY EXAMINER